

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA**

JANET COATES and FRANCILIA  
GELIN, as individuals and as  
representatives of the class,

Plaintiffs,  
vs.

MIDFIRST BANK d/b/a MIDLAND  
MORTGAGE, and FIRSTINSURE,  
INC.,

Defendants.

**Case No: 2:14-cv-01079-KOB**

**JOINT MOTION TO SUSPEND TIME  
TO RESPOND TO AMENDED CLASS ACTION COMPLAINT IN LIGHT  
OF CLASS ACTION SETTLEMENT AGREEMENT**

Plaintiffs Janet Coates and Francilia Gelin (“Plaintiffs”) and Defendants MidFirst Bank d/b/a Midland Mortgage (“Midland”) and Firstinsure, Inc. (“Firstinsure”) (collectively, “Defendants”) have met and conferred and jointly request that the Court issue an Order suspending Defendants’ time to respond to the Amended Class Action Complaint (“Amended Complaint”).

On January 2, 2015, Plaintiffs filed an Amended Complaint. ECF No. 14. Defendants’ response to the Amended Complaint is currently due to be filed on or before January 16, 2015.

On January 2, 2015, Plaintiffs also filed an unopposed Motion for Preliminary Approval of Class Action Settlement. ECF Nos. 15-19. In light of the

Settlement and the Motion for Preliminary Approval, Plaintiffs and Defendants jointly move this Court for an order suspending the time for Defendants to file a response to the Amended Complaint until the Court enters a further scheduling order. If the Settlement is approved, Plaintiffs' Amended Complaint will be dismissed with prejudice. In that case, Defendant's response to the Amended Class Action Complaint will be unnecessary. WHEREFORE, the Parties respectfully request that the Court enter an order suspending the time for Defendants to file a response to the Amended Complaint until the Court enters a further scheduling order.

DATED: January 5, 2015.

NICHOLS KASTER, PLLP

/s/ Kai H. Richter

Kai H. Richter, MN Bar No. 0296545\*

Joseph C. Hashmall, MN Bar No.

0392610\*

\*admitted *pro hac vice*

80 South Eighth Street

4600 IDS Center

Minneapolis, Minnesota 55402

Telephone: (612) 256-3200

Fax: (612) 338-4878

Email: [krichter@nka.com](mailto:krichter@nka.com)

[jhashmall@nka.com](mailto:jhashmall@nka.com)

AND

BEASLEY, ALLEN, CROW,  
METHVIN, PORTIS & MILES, P.C.  
Archie I. Grubb, II (GRU105)  
218 Commerce Street

DATED: January 5, 2015.

SIROTE & PERMUTT, P.C.

/s/ R. Ryan Daugherty

Kerry P. McInerney (ASB 7857-N75K)

R. Ryan Daugherty (ASB 1653-B34D)

2311 Highland Avenue South

Birmingham, Alabama 35205

Telephone: (205) 930-5100

Facsimile: (205) 212-3851

Email: [kmcinerney@sirote.com](mailto:kmcinerney@sirote.com)

[rdaugherty@sirote.com](mailto:rdaugherty@sirote.com)

AND

David S. Kantrowitz

\**pro hac vice* application forthcoming

GOODWIN PROCTER LLP

53 State Street, Exchange Place

Boston, MA 02109

Telephone: (617) 570-1254

<p>Post Office Box 4160 (36103) Montgomery, Alabama 36104 Telephone: (334) 269-2343 Facsimile: (334) 954-7555 Email: archie.grubb@beasleyallen.com</p> <p>ATTORNEYS FOR PLAINTIFFS AND THE PUTATIVE CLASS</p>	<p>Facsimile: (617) 523-1231 Email: dkantrowitz@goodwinprocter.com</p> <p>ATTORNEYS FOR DEFENDANTS MIDFIRST BANK AND FIRSTINSURE, INC.</p>
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**CERTIFICATE OF SERVICE**

I hereby certify that on January 5, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following which will send notification of such filing to the following:

Andrew England Brashier: [Andrew.Brashier@beasleyallen.com](mailto:Andrew.Brashier@beasleyallen.com);

Robert Ryan Daugherty: [rdaugherty@sirote.com](mailto:rdaugherty@sirote.com);

Archibald I Grubb, II: [archie.grubb@beasleyallen.com](mailto:archie.grubb@beasleyallen.com);

Joseph C. Hashmall: [jhashmall@nka.com](mailto:jhashmall@nka.com);

Kerry P. McInerney: [kmcinerney@sirote.com](mailto:kmcinerney@sirote.com); and

Kai H. Richter: [krichter@nka.com](mailto:krichter@nka.com).

I further certify that on January 5, 2015, I mailed and emailed a courtesy copy of the foregoing to additional counsel for Defendants Midfirst Bank and FirstInsure, Inc. as follows:

David Kantrowitz  
GOODWIN PROCTER LLP  
53 State Street, Exchange Place  
Boston, MA 02109  
[DKantrowitz@goodwinprocter.com](mailto:DKantrowitz@goodwinprocter.com)

Dated: January 5, 2015

/s/ Kai H. Richter